



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/823,470	03/30/2001	Kenji Yamagami	36992.00073

SQUIRE, SANDERS & DEMPSEY L.L.P.
600 Hansen Way
Palo Alto, CA 94304



CONFIRMATION NO. 5742
FORMALITIES LETTER



OC000000006062349

Date Mailed: 05/10/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/17/2001 MWOLDR1 00000052 050150 09823470

01 FC:105 130.00 CH

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL
for FY 2001

Patent fees are subject to annual revision.

AUG 13 2001

Complete if Known

Application Number	09/823,470
Filing Date	March 30, 2001
First Named Inventor	Kenji Yamagami
Examiner Name	Unknown
Group / Art Unit	2182
Attorney Docket No.	36992.00073 (HAL 170)

TOTAL AMOUNT OF PAYMENT

(\$)

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

05-0150

Deposit
Account
Name

Squire, Sanders & Dempsey LLP

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
	= 0	X	=
Independent Claims	= 0	X	=
Multiple Dependent	X	=	= 0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	110
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	Paul A. Durdik, Esq.	Registration No. Attorney/Agent)	37,819	Telephone	(650) 856-6500
Signature				Date	August 7, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

08/17/2001 FOLDER1 00000052 050150 09823470

02 FC:115 110.00 CH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Examiner: Unknown

Kenji Yamagami

Serial No. 09/823,470

Art Unit: 2182

Filed: March 30, 2001

Title: Path Selection Methods for Storage Based Remote Copy

Commissioner for Patents
Washington, DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION**

Dear Sir:

In response to the Notice to File Notice to File Missing Parts of Nonprovisional Papers mailed on May 10, 2001 in the above-identified application, enclosed herewith are the following:

- 1) Copy of Notice to File Missing Parts of Nonprovisional Application;
- 2) Declaration for Utility Patent Application for Kenji Yamagami;
- 3) Power of Attorney;
- 4) Transmittal Form; and
- 5) Fee Transmittal (in duplicate)

If the Examiner has any questions or needs additional information, the Examiner is invited to telephone the undersigned attorney at (650) 856-6500.

If for any reason an insufficient fee has been paid, please charge the insufficiency to Deposit Account No. 05-0150. A duplicate of this communication is enclosed.

Respectfully submitted,
Kenji Yamagami

Date: August 7, 2001

SQUIRE, SANDERS & DEMPSEY L.L.P.
600 Hansen Way
Palo Alto, California 94304-1043
(650) 856-6500

By

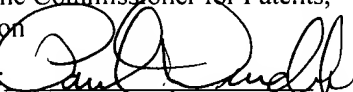


Paul A. Durdik
Attorney for Applicant
Reg. No. 37,819

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231, on

Date: August 7, 2001 By



Paul A. Durdik

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/823,470	
Filing Date	March 30, 2001	
First Named Inventor	Kenji Yamagami	
Group Art Unit	2182	
Examiner Name	Unknown	
Total Number of Pages in This Submission	Attorney Docket Number	36992.00073 (HAL 170)

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form (in duplicate)

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☒ Response to Missing Parts/
Incomplete Application

☒ Response to Missing
Parts under 37 CFR
1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☒ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to
Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

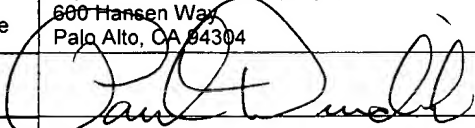
☐ Status Letter

☒ Other Enclosure(s)
(please identify below):

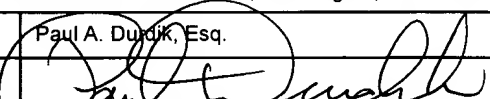
**Declaration of Kenji Yamagami;
Copy of Notice to Missing Parts;
Return Receipt Postcard**

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Paul A. Durdik, Esq., Reg. No.: 37,819 Squire, Sanders & Dempsey L.L.P. 600 Hansen Way Palo Alto, CA 94304
Signature	
Date	August 7, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: August 7, 2001			
Typed or printed name	Paul A. Durdik, Esq.		
Signature		Date	August 7, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.